

December 14, 2014

**Via Courier**

Recode  
2175 Gwinn Ave., Suite 103  
San Martin, CA 95046  
ATTN: General Counsel/Legal Department

**RE: Your Possession of Privileged and/or Confidential Information Stolen From Sony Pictures Entertainment**

Dear General Counsel:

As you are no doubt aware, Sony Pictures Entertainment (SPE) has been the victim of a theft of data stored on its computers. As you may also be aware, in an on-going campaign explicitly seeking to prevent SPE from distributing a motion picture, the perpetrators of the theft have threatened SPE and its staff and are using the dissemination of both private and company information for the stated purpose of materially harming SPE unless SPE submits and withdraws the motion picture from distribution.

We have reason to believe that you may possess, or may directly or indirectly be given, illegally obtained documents or other information stolen from SPE (the "Stolen Information"), pursuant to the perpetrators' scheme. The Stolen Information includes, but is not limited to, documents and information protected under U.S. and foreign legal doctrines protecting attorney-client privileged communications, attorney work product, and related privileges and protections, as well as private financial and other confidential information and communications of SPE's current and former personnel and others, confidential personnel data, intellectual property, trade secrets and other business secrets and related communications, and other confidential information. We are writing to ensure that you are aware that **SPE does not consent to your possession, review, copying, dissemination, publication, uploading, downloading, or making any use of the Stolen Information, and to request your cooperation in destroying the Stolen Information.**

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As soon as you suspect that you may have possession of any of the Stolen Information, we ask that you promptly:

- (1) notify us using the contact information provided below;
- (2) take all reasonable actions to prevent your company and any of your employees, independent contractors, agents, consultants, or anyone who may have access to your files from examining, copying, disseminating, distributing, publishing, downloading, uploading, or making any other use of the Stolen Information;
- (3) arrange for and supervise the destruction of all copies of the Stolen Information in your possession or under your control, particularly information protected under U.S. and foreign legal doctrines protecting attorney-client privileged communications, attorney work product, and related privileges and protections, as well as private financial and other confidential information and communications of SPE's current and former personnel and others, confidential personnel data, intellectual property, trade secrets and other business secrets and related communications; and
- (4) confirm that such destruction has been completed.

In addition, if you have provided the Stolen Information to anyone outside of your company, we ask that you provide them with a copy of this letter, and request the destruction of the Stolen Information by the recipient.

~~To discuss matters concerning the Stolen Information, please contact me at~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

If you do not comply with this request, and the Stolen Information is used or disseminated by you in any manner, SPE will have no choice but to hold you responsible for any damage or loss arising from such use or dissemination by you, including any damages or loss to SPE or others, and including, but not limited to, any loss of value of intellectual property and trade secrets resulting from your actions.

If you have previously had access to or received Stolen Information and have exercised restraint with regard to its publication, use or dissemination, SPE and its employees are sincerely grateful to you and ask for your continued exercise of restraint.

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Please note that this letter is provided to you without prejudice and does not purport to address all facts and issues concerning the Stolen Information. SPE expressly reserves all rights, remedies, claims and defenses available to it under applicable law.

Thank you for your anticipated and immediate cooperation regarding this important matter.

Sincerely yours,

A handwritten signature in cursive script that reads "David Boies".

David Boies

cc: Leah Weil, Esq.